



General Assembly

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Sixtieth session

Agenda item 112 (e)

**Elections to fill vacancies in subsidiary organs and other
elections: election of 47 members of the Human Rights Council**

Note verbale dated 29 March 2006 from the Permanent Mission of Portugal to the United Nations addressed to the Secretary-General

The Permanent Mission of Portugal to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to inform him that the Government of Portugal has decided to present its candidature to the United Nations Human Rights Council at the elections to be held in the General Assembly on 9 May 2006.



**Annex to the note verbale dated 29 March 2006 from the
Permanent Mission of Portugal to the United Nations
addressed to the Secretary-General**

The Permanent Mission of Portugal to the United Nations presents its compliments to the Secretary-General of the United Nations and with reference to its note dated 29 March, has the honour to enclose a copy of the voluntary pledges and commitments in accordance with resolution 60/251, presented by Portugal in relation to its candidature to the Human Rights Council.

The Permanent Mission of Portugal would appreciate it if the Secretariat could post these pledges and commitments on the website of the General Assembly.

Enclosure

Voluntary pledges and commitments in accordance with resolution 60/251

The Portuguese long-standing commitment to human rights

Portugal is a country with a firm commitment to the respect for fundamental rights and freedoms, which are embodied in the Portuguese Constitution, and all other human rights enshrined in the international instruments to which Portugal is a party. In fact, rules provided for in international conventions that have been duly ratified or approved automatically apply in domestic law following their official publication.

Portugal is a party to the vast majority of international human rights instruments: it has signed and ratified six of the core United Nations human rights instruments, without any reservations.* Furthermore, in each case, Portugal recognizes the full range of competences available to each Committee, including the powers to examine individual and inter-State communications, and to undertake inquiry procedures.

Portugal is equally a party to the Rome Statute of the International Criminal Court and recognizes as compulsory the jurisdiction of the International Court of Justice. We also recognize ILO and UNESCO procedures.

At the European regional level, Portugal is a party to the European Convention on Human Rights and most of its protocols, and is therefore under the jurisdiction of the European Human Rights Court. We also recognize the competence of the European Committee on Social Rights and of the Committee for the Prevention of Torture.

Having regained democracy in 1974, Portugal has been since the 1980s an active member of the United Nations Commission on Human Rights striving for the promotion and protection of all human rights in all parts of the world, trying hard to bridge differences and to use dialogue as a way to move forward. In this regard, Portugal has always searched for a just and peaceful solution to the East Timor question in cooperation with the Secretary-General, and we recall the fundamental role played by the Commission on Human Rights in making known the struggle of the East Timorese.

In line with its long-standing commitment to promote and protect human rights and its support for the role of the United Nations, Portugal commits itself:

* Portugal is, in fact, a party to all the core United Nations human rights instruments, including the two international Covenants on human rights, the Conventions against racial discrimination and discrimination against women, the Convention on the Rights of the Child, the Convention against Torture, both Protocols to the International Covenant on Civil and Political Rights, both Protocols to the Convention on the Rights of the Child and the Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

A. To fully cooperate with the Human Rights Council

1. By contributing to make this new Council an efficient and effective body of the United Nations.
2. By establishing a constructive dialogue and cooperation with members and non-members of the Council, ameliorating the quality of debates within the Council and participating actively in the work of the Council with traditional and possible new initiatives in all fields of human rights. In the Commission on Human Rights, Portugal has been the main sponsor of three resolutions: the resolution on the question of the realization in all countries of economic, social and cultural rights, the resolution on the right to education and the resolution on the protection of United Nations personnel.
3. By reiterating the standing invitation to the Special Rapporteurs and other special procedures.
4. By contributing to the establishment of a peer review mechanism that ensures an objective and dialogue-focused analysis of the human rights situations of all Member States.
5. By seeking the mainstreaming of human rights into the United Nations system to enhance the coordination of its activities and the effectiveness of the United Nations human rights machinery.
6. By deepening the promotion and protection of all human rights "with the same emphasis and on equal footing".
7. By improving the participation of NGOs as a positive and important element of the dialogue between States and civil society and ensuring that these organizations contribute to the work of the Council.

B. To promote and protect human rights at the international level

1. By encouraging States to become parties to the core human rights treaties and to fully implement their human rights obligations.
2. By participating actively in ongoing discussions aiming at improving the international human rights legal framework.
3. By making the international norms of human rights more widely known, accepted and respected and thus ensuring that human rights crises get an adequate and prompt response from the international community.
4. By giving greater attention to the implementation of economic, social and cultural rights, namely through the support given to the process aimed at elaborating an Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. In that sense, in view of ensuring a negotiation process in a spirit of compromise and large consensus, Portugal commits itself to supporting the realization of informal and inter-sessional discussion forums on this issue. Our objective is to achieve an international instrument which gathers the widest possible consensus, which brings a significant added value to the spectrum of existing international treaties and which will be widely accepted and ratified by United Nations Member States.

5. By contributing through its bilateral development cooperation as well as through the United Nations system to the strengthening of democracy, good governance, rule of law and respect for human rights and fundamental freedoms.
6. By contributing, in a comprehensive understanding of human rights, to achieving the Millennium Development Goals within the framework of its development cooperation as well as within the United Nations system, namely by helping to combat HIV/AIDS, malaria and other diseases and to achieve universal primary education.
7. By promoting and protecting the rights of the child taking into account the best interest of the child.
8. By taking measures to eliminate all forms of gender discrimination, ensure gender equality, and promote and protect women's rights.
9. By contributing to the ongoing reform of the treaty body system and to the work of the Office of the United Nations High Commissioner for Human Rights, namely by making available to that Office the translation into Portuguese of human rights documents and publications relevant to Portuguese-speaking countries.

C. To promote and protect human rights at the national level

1. By proceeding further with its policy of ratification of the human rights treaties, avoiding the resort to reservations and, in this regard, to promptly ratify the Optional Protocol to the Convention against Torture and to support the approval of the draft international convention for the protection of all persons from enforced or involuntary disappearances.
2. By proceeding further with its policy of accepting the treaty bodies' individual and inter-State communications procedures and inquiry procedures.
3. By continuing to fully cooperate with the treaty monitoring bodies, implementing their recommendations and, in particular, submitting periodic reports on time.
4. By continuing to develop efforts undertaken within the United Nations Decade for Human Rights Education, inter alia by ensuring the diffusion of human rights education materials at the domestic level and in Portuguese-speaking countries.
5. By promoting the establishment of a national human rights mechanism to coordinate, at the highest level, existing human rights agencies as well as laws, programmes and policies with impact on human rights.
6. By improving the protection and promotion of the rights of women and ensuring that a gender perspective is mainstreamed into all policies and programmes adopted at the national level.
7. By improving the protection and promotion of the rights of the child and ensuring that a strong child rights perspective is included in all policies and programmes adopted at the national level.



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**Elections to fill vacancies in subsidiary organs and other
elections: election of 47 members of the Human Rights Council**

**Note verbale dated 7 April 2006 from the Permanent Mission of
Kenya to the United Nations addressed to the Secretary-General**

The Permanent Mission of the Republic of Kenya to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to inform him that Kenya has decided to present its candidature to the Human Rights Council at the election to be held on 9 May 2006 (see annex).



Annex to the note verbale dated 7 April 2006 from the Permanent Mission of Kenya to the United Nations addressed to the Secretary-General

Kenya: aide-memoire for the Human Rights Council

Kenya has decided to present its candidature for election to the United Nations Human Rights Council at the elections to be held by the General Assembly on 9 May 2006, pursuant to General Assembly resolution 60/251.

Kenya has been an active participant in the negotiations for the establishment of the Human Rights Council, both in New York and Geneva, and welcomes the establishment of the Human Rights Council as a significant step in the efforts by the international community to enhance the promotion and protection of human rights.

Kenya will continue to support all initiatives and reforms of the human rights machinery aimed at creating a stronger, efficient and less politicized organization that will promote human rights and respond promptly in cases of human rights abuse in any part of the world.

In this regard, the Government of Kenya makes the following pledges and commitments.

At the international level

- Kenya has played and will continue to play a pivotal role in mediation and resolution of regional conflicts with the strategic objective of establishing and nurturing suitable conditions for the promotion and protection of human rights. This objective is premised on Kenya's conviction that the enjoyment of human rights can only be guaranteed in conditions of peace, security and stability.
- One of the cardinal precepts of Kenya's foreign policy is that the promotion and protection of human rights must be diligently pursued in both bilateral and multilateral settings. Kenya will continue to pursue this policy in cooperation with the international community.
- As a demonstration of its commitment to the principle of international cooperation in the promotion and protection of human rights, Kenya served in the United Nations Commission on Human Rights from 1984 to 1986, 1992 to 1994 and 2001 to 2003 and was a member for the 2005-2007 period.
- Kenya continues to cooperate closely with the special procedures and mechanisms of the Commission by inviting Special Rapporteurs to visit Kenya and extending maximum cooperation to them in their valuable work.

Kenya embraces the principle of universal periodic review that will scrutinize Member States' human rights records. Kenya was among the first African countries to offer itself voluntarily for review under the African Peer Review Mechanism of the New Partnership for African Development, which evaluates members and recommends promotion and protection of human rights, good governance, rule of law and justice.

At the national level

- Kenya is party to almost all human rights instruments and pledges to continue submitting national reports to various regional and international treaty bodies.
- Kenya has endeavoured to match its international legal obligation with practical strategies and action plans at the national level, always guided by the principles of human dignity, non-discrimination, cooperation and equality for all.
- Kenya believes that all human rights are inherent, indivisible, interrelated and interdependent. The Constitution of Kenya guarantees the enjoyment of all rights without discrimination. The draft Constitution, which is still under discussion, grants the High Court unlimited jurisdiction in all cases of human rights violations.
- A new political dispensation was ushered in after the historic democratic elections in December 2002. The new Government, from the outset, placed the promotion and protection of human rights at the core of its domestic and foreign policy.
- A number of concrete steps to safeguard the civil and political rights of its citizens have been put in place. These include:
 - The opening up of space of unlimited participation by the people in the democratic process;
 - The creation of a Ministry of Justice and Constitutional Affairs, with the express mandate of promoting and protecting human rights and good governance;
 - The establishment of the Kenya National Commission on Human Rights, a statutory and independent body that acts as a watchdog to ensure the promotion and protection of human rights in the country;
 - The total liberalization of Kenya's airwaves in the true spirit of freedom of information and expression of opinion. Independent radio and television stations as well as local and international newspapers operate freely.
- Kenya has ratified the Convention against Torture and Other Cruel, Inhuman or Degrading treatment or Punishment and has taken the necessary legislative and administrative steps to implement the provisions of the Convention.
- Kenya has ratified the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflicts and has enacted a comprehensive Children's Act that domesticates obligations contained in the Convention on the Rights on the Child.
- Kenya has enacted the Gender Commission Act and established the National Commission on Gender to mainstream gender issues in all aspects of public life.
- Kenya has embarked on far-reaching measures to strengthen the judiciary to ensure an independent, effective and efficient institution that is essential for a just, transparent and accountable Government. The Government has established more courts in all parts of the country.

- The Government has put in place a sound legal and institutional framework for the investigation, prosecution and punishment of those involved in corruption. The Anti-Corruption and Economic Crimes Act, 2003, and the Public Office and Ethics Act, 2003, have been enacted with the aim of protecting public resources from theft, wastage and plunder, thereby making them available for poverty alleviation programmes.
 - Kenya has adopted universal free primary education with a view to realizing the right to education. Similar efforts are being undertaken in other areas, including health and housing.
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**Note verbale dated 12 April 2006 from the Permanent Mission
of Georgia to the United Nations addressed to the Secretariat**

The Permanent Mission of Georgia to the United Nations presents its compliments to the Secretariat of the United Nations and has the honour to enclose Georgia's voluntary pledges and commitments in accordance with General Assembly resolution 60/251 of 15 March 2006.



**Annex to the note verbale dated 12 April 2006 from the
Permanent Mission of Georgia to the United Nations addressed
to the Secretariat**

Aide-memoire: Georgia and the Human Rights Council

**Voluntary pledges and commitments in conformity with General Assembly
resolution 60/251**

The Government of Georgia made a decision to nominate the candidacy of Georgia for a membership in the United Nations Human Rights Council for a seat allocated to Eastern European countries.

Having gained its independence, Georgia made its choice to build a state based on democratic values and the rule of law, to integrate into international community, European structures.

Human rights issues have always represented one of the highest priorities for Georgia. Since the Rose Revolution of 2003, the new Government of Georgia has unequivocally expressed its commitment to improve human rights situation in the country.

For the time being, many significant steps have already been made to better promote and protect human rights and fundamental freedoms.

Georgia is a State party to a series of United Nations and Council of Europe human rights instruments, in particular:

- Covenant on Civil and Political Rights and its Optional Protocols.
- Covenant on Economical, Social and Cultural Rights.
- Convention of the Rights of the Child and its Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol.
- Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol.
- Convention on the Elimination of All forms of Racial Discrimination.
- International Convention on the Suppression and Punishment of the Crime of Apartheid.
- European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols 2, 4, 6, 7, 11, 12 and 13.
- European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment;
- European Convention on Human Rights and Biomedicine.
- Framework Convention on the Protection of National Minorities.
- European Social Charter (revised).

The Georgian Parliament ratified the Rome Statute of the International Criminal Court that entered into force for Georgia in December 2003.

Most recently, the instrument of ratification or accession has been sent to the depositary with respect to:

- Amendment to Article 20, paragraph 1 of the Convention on the Elimination of All Forms of Discrimination against Women.
- Protocol 14 to the European Convention for the Protection of Human Rights and Fundamental Freedoms.
- Protocol to the European Convention on Human Rights and Biomedicine concerning Transplantation of Organs and Tissues of Human Origin.

Georgia has never been a member of the United Nations human rights bodies; however, Georgia has always participated in the constructive dialogue with the United Nations agencies and representatives dealing with human rights issues and will continue following this way in the future.

From the very beginning, Georgia supported the initiative to establish the Human Rights Council, with a stronger mandate to monitor and ensure the implementation of commitments undertaken by member States.

As regards future actions aimed at further strengthening promotion and protection of human rights and fundamental freedoms, in the nearest future Georgia pledges itself to:

- At the domestic level:
 - Accede to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.
 - Sign and ratify European Charter for Regional or Minority Languages.
 - Ratify Additional Protocol to the Convention on Human Rights and Biomedicine, concerning Biomedical Research.
 - Ratify the European Convention on Action against Trafficking in Human Beings.
 - Complete and submit to the respective Treaty Monitoring Bodies the next periodic reports on the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child.
 - Co-operate with the European Commission against Racism and Intolerance (ECRI), within the framework of the next ECRI country visit to Georgia.
- At the international level:
 - Promote strengthening of the Human Rights Council's involvement and activities, first and foremost, in conflict areas worldwide (including *de-facto* uncontrolled territories), in order to promote the respect for and implementation of human rights and fundamental freedoms for all, especially most vulnerable groups.

- Closely co-operate with the Human Rights Council, other respective human rights bodies and related agencies within the United Nations, Organization for Security and Cooperation in Europe and the Council of Europe, in order to promote and ensure full realization of civil, political, economic, social and cultural rights in their interrelation and indivisibility and without any discrimination.
 - Promote active international reaction and monitoring of human rights violations in Abkhazia and South Ossetia/Tskhinvali region, especially in Gali district of Abkhazia, Georgia including the establishment of joint UN/OSCE human rights office in Gali, deployment of UN civilian police component and unimpeded instruction of mother tongue for the ethnic Georgian population in the district as important human rights protection and confidence-building measures.
 - Contribute to preservation and enhancement of the systems of special procedures. In this respect, Georgia reaffirms its readiness to further co-operate with the UN special procedures, including the readiness to receive their visits. Moreover, it is in the interests of Georgia that these visits encompass whole territory under its jurisdiction, including the regions currently *de-facto* out of control on the part of the State.
 - Participate in the constructive dialogue with United Nations Treaty Monitoring Bodies. In 2006, this is about Committee against Torture and Committee on the Elimination of Discrimination against Women, in connection with the consideration of periodic reports of Georgia under CAT and CEDAW.
 - Make special emphasis on the strengthening of gender equality, the rights of women, the rights of the child and minority rights.
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**Elections to fill vacancies in subsidiary organs and other elections:
election of 47 members of the Human Rights Council**

Note verbale dated 4 April 2006 from the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the Secretariat

The Permanent Mission of the Islamic Republic of Iran to the United Nations presents its compliments to the Secretariat of the United Nations and has the honour to inform the latter that the Government of the Islamic Republic of Iran has decided to present its candidature for membership of the United Nations Human Rights Council in the elections to be held on 9 May 2006.



Annex to the note verbale dated 4 April 2006 from the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the Secretariat

The Permanent Mission of the Islamic Republic of Iran to the United Nations presents its compliments to the Permanent Missions to the United Nations and has the honor to inform the latter, that the Government of the Islamic Republic of Iran has decided to presents its candidature for Membership of the Human Rights Council in the elections to be held by the General Assembly on May 9, 2006 in New York.

The Islamic Republic of Iran is committed to the promotion and protection of human rights at the national level, and continues to contribute to the international machinery of human rights including the newly established Human Rights Council in order to realize the advancement of universally accepted human rights standards. Iran recognizes that human rights, development and international peace and security are interlinked and mutually reinforcing.

Evidently, the participation of different countries from all regions with various historical, cultural and religious backgrounds, in the Human Rights Council will essentially enrich the common understanding of human rights, contribute to the further enhancement of global partnership built to promote human rights, and advance the application and enjoyment of universally accepted human rights throughout the world.

The Islamic Republic of Iran has taken a number of steps towards the realization of human rights goals, in particular through an enhanced cooperation with the international community. In this context, Iran, as the first country in the region, has extended an open invitation to all Special Procedures to visit the country-some of which have already taken place. Furthermore, it has initiated and implemented broad-based, comprehensive and nation-wide common human rights projects with the Office of the High Commissioner for Human Rights and UNDP in recent years, and envisions even wider cooperation with these bodies in future at different local and national levels. Iran has also engaged with a number of countries on human rights dialogue with a view to promote mutual understanding and cooperation on various aspects of this important issue.

Clearly, the Human Rights Council is expected to address the shortcomings experienced in the Commission on Human Rights as undermined the credibility of the Commission over the past years. The Islamic Republic of Iran, if elected, will spare no

efforts to assist the international community to safeguard the Human Rights Council from injustice, double-standards and politicization. It will also do its utmost to promote objectivity, impartiality and non-selectivity in all spheres of the work of the Council.

The Islamic Republic of Iran attaches great importance to the international efforts to enhance dialogue and broaden understanding among civilizations, cultures and religions. Indeed, at no time, the international community has been in a more dire and urgent need of a concerted effort to promote dialogue among civilizations and respect for cultural diversity than today. The United Nations has rightly increased its focus on these initiatives across the globe in an attempt to build understanding and friendly relations among different peoples and nations. Iran will continue its efforts, within the Human Rights Council, to help international community to reach its potentials in this regard and make the goal of universal respect for cultural diversity, through dialogue and cooperation, a reality.

In light of the above, the Government of the Islamic Republic of Iran seeks the valuable support of the Member States to the United Nations for its candidature to the Human Rights Council and highly appreciates it.



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**Elections to fill vacancies in subsidiary organs and other elections:
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**Note verbale dated 5 April 2006 from the Permanent Mission
of Germany to the United Nations addressed to the President
of the General Assembly**

The Permanent Mission of Germany to the United Nations presents its compliments to the President of the sixtieth session of the General Assembly and with reference to the note dated 22 March 2006, has the honour to transmit a document containing Germany's voluntary pledges and commitments in accordance with General Assembly resolution 60/251 to be published on the United Nations website.



Annex to the note verbale dated 5 April 2006 from the Permanent Mission of Germany to the United Nations addressed to the President of the General Assembly

**Germany and the Human Rights Council
Voluntary pledges and commitments in accordance with General Assembly resolution 60/251**

Germany has decided to stand for election to the United Nations Human Rights Council at the elections to be held during the 60th session of the United Nations General Assembly on 9 May 2006.

1. Germany's human rights policy

Germany, where the duty to respect and protect human rights is enshrined in the constitution, is strongly committed to multilateral action to advance the cause of human rights. Besides its active membership of the regional frameworks of the Council of Europe and the OSCE, Germany has consistently supported the primary role of the United Nations in the promotion and protection of human rights worldwide.

The priority given by Germany to United Nations action in the field of human rights has long translated into active support for all components of the United Nations' human rights machinery. Germany is party to almost all major United Nations human rights instruments and has consistently observed its reporting obligations; it has strongly supported the United Nations' ad hoc tribunals and in particular the establishment of the International Criminal Court. Germany has been one of the main supporters of the United Nations High Commissioner for Human Rights since its inception after the Vienna World Conference, and has actively participated in the work of the United Nations Human Rights bodies, particularly as a member of the Commission on Human Rights.

2. Germany's strong support for the Human Rights Council

In line with its long-standing commitment to the United Nations' action to promote and protect human rights, Germany has from the outset given its full support to Secretary-General Annan's proposal to further strengthen the United Nations' human rights machinery, in particular by replacing the Commission on Human Rights with an Human Rights Council. After the successful conclusion of the negotiations on the new Council, Germany, given its experience as a member of the Commission, is convinced that it can make a useful contribution to the work of the new Council. Germany's membership of the Council will be of particular importance during the first half of 2007 when Germany will assume the Presidency of the Council of the European Union.

3. Germany's commitments to strengthen the promotion and protection of human rights

Concerning future action to strengthen the universal promotion and protection of human rights, Germany will continue to strive for the highest standards and, to this effect, commits itself to the following main objectives:

a) In the United Nations, Germany will

- strive to further increase its support for the Office of the High Commissioner for Human Rights;

- continue to work for the universality and indivisibility of all human rights, civil and political as well as economic, social and cultural, including the right to development. In doing so, Germany will continue to pursue, together with Finland, the joint initiative on the "Right to Adequate Housing" and will furthermore continue to strive for increased implementation of the "Guidelines on the Right to Food" adopted, with German sponsoring, by FAO in 2004. Germany will complement its traditional commitment to economic, social and cultural rights, by introducing in 2006, together with Spain, a new initiative aimed at strengthening the "Right to Water";
- continue to promote dialogue and cooperation as the primary means for protecting and strengthening human rights worldwide. To this effect, Germany intends to further develop and strengthen, together with India, the joint initiative on "Advisory Services and Technical Cooperation in the Field of Human Rights";
- strive for the preservation and strengthening of the systems of special procedures, which Germany considers to be one of the major achievements of the Commission on Human Rights. To this effect, Germany will, in the new Human Rights Council, confirm its long-standing policy of unrestricted cooperation with United Nations special procedures, including the readiness to receive their visits whenever and wherever;
- continue to give special emphasis to the strengthening of gender equality, the rights of women and the rights of the child;
- strive for the early approval of the draft "International Convention for the Protection of all Persons from Enforced or Involuntary Disappearance";
- continue to contribute actively to the early successful conclusion of the negotiations on an "International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities".

b) Domestically, Germany will

- strive to ratify still in 2006 the Optional Protocol to the Convention against Torture as well as the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;
- in 2006 complete and submit to the respective Treaty Bodies the next periodic state reports regarding the Convention on the Elimination of all Forms of Racial Discrimination, the Convention on the Elimination of all Forms of Discrimination against Women as well as the Covenant on Economic, Social and Cultural Rights;
- adopt in 2006 a "National Plan of Action" to combat Racism, Racial Discrimination, Xenophobia and Related Intolerance, in implementation of the Declaration and the Plan of Action of the 2001 Durban World Conference;
- during the Soccer World Cup in Germany in summer 2006, implement, in cooperation with FIFA, an anti-racism campaign, as suggested by the United Nations Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance.

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**Elections to fill vacancies in subsidiary organs and other elections:
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**Note verbale dated 31 March 2006 from the Permanent
Mission of Nicaragua to the United Nations addressed
to the Secretary-General**

The Permanent Mission of Nicaragua to the United Nations presents its compliments to the Office of the Secretary-General and has the honour to inform it that the Government of Nicaragua has decided to put forward its candidacy for membership in the Human Rights Council during the election to be held in the General Assembly on 9 May 2006 in New York.

Nicaragua, as a founding Member of the United Nations loyal to the principles of the Organization, has always drawn on its own national experience to help to achieve the important goals which the United Nations has set, particularly as regards the strengthening of international peace and security, the eradication of poverty and the encouragement of development, with constant attention at all times to the promotion and protection of human rights and fundamental freedoms.

Nicaragua is convinced that it can continue to help the United Nations to attain its objectives, bearing in mind that the Organization currently faces daunting reforms and must constantly adapt to the challenges imposed by the new international environment. In recent years, Nicaragua has been recognized by the international community as a steadfast partner in combating corruption and providing good governance, and for putting forward disarmament proposals which have had a positive impact on the region. Nicaragua will be able to share such experience with other States if it becomes a member of the Council.

Nicaragua was a member of the former Commission on Human Rights on four occasions, most recently during the period 1995-1997. It was always able to play a purposeful and objective role in the work carried out by that important body, especially in the promotion of dialogue and cooperation among Member States, observers, intergovernmental organizations and civil society.

Nicaragua attaches particular importance to its candidacy and is well aware that, far from being a privilege, membership in the Council represents a serious commitment and a heavy responsibility. It hopes that it will not be forgotten that



membership is based on equitable geographical distribution, with due regard for participation of small countries.

The Permanent Mission of Nicaragua, on behalf of its Government, would be grateful if the Office of the Secretary-General would register Nicaragua as a candidate for election to membership in the Human Rights Council. It takes this opportunity to convey to the Office of the Secretary-General the renewed assurance of its highest consideration.



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**Elections to fill vacancies in subsidiary organs and other elections:
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Note verbale dated 5 April 2006 from the Permanent Mission of Ukraine to the United Nations addressed to the President of the General Assembly

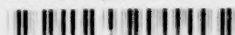
The Permanent Mission of Ukraine to the United Nations presents its compliments to the President of the General Assembly and, referring to the note of 24 March 2006 on the decision of the Government of Ukraine to present its candidature to the Human Rights Council at the elections to be held during the meeting of the General Assembly on 9 May 2006, has the honour to communicate the following.

Ukraine has always attached great importance to the United Nations activities on the promotion and protection of human rights and fundamental freedoms. Our country pays special attention to the issues of combating human trafficking, the elimination of all forms of violence against women, protection of the rights of the child, of persons belonging to national, religious, linguistic or ethnic minorities, the prevention of shameful practices of torture, racism, racial discrimination and any forms of religious intolerance.

The rule of law, respect for human rights and fundamental freedoms, which have always represented important values for our country, were further strengthened in Ukraine's practice as internal and foreign policy after the "Orange Revolution". The parliamentary elections held on 26 March 2006 became yet another strong evidence of Ukraine's dedication to the internationally recognized norms and principles of democracy and the rule of law.

Ukraine strongly supported the initiative of the Secretary-General regarding the establishment of the Human Rights Council and, if elected, will make every effort to ensure that the Council is able to fulfil its mandate responsibly and effectively through dialogue and cooperation.

The Human Rights Council is mandated to examine the human rights records of all countries, beginning with its members, through the universal periodic review. Ukraine will be ready to come under such scrutiny.



As a party to all major human rights treaties adopted under the auspices of the United Nations, Ukraine will strictly adhere to their provisions and make every effort to uphold the highest standards of promotion and protection of human rights and fundamental freedoms.



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Note verbale dated 23 March 2006 from the Permanent Mission of Algeria to the United Nations addressed to the President of the General Assembly

The Permanent Mission of Algeria to the United Nations in New York presents its compliments to the President of the United Nations General Assembly and has the honour to inform him that the Algerian Government has decided to submit its candidacy for the first elections to the Human Rights Council to be held on 9 May 2006.

Algeria attaches great importance to the promotion and protection of human rights, and is certain that it will make a positive and constructive contribution to the Human Rights Council by fostering dialogue and consultation.

Guided by its own history, Algeria has always ranked self-determination of peoples among its priorities for the promotion of human rights, and has made a definite contribution in that area.

On the internal level, since its independence, it has worked to establish institutions capable of ensuring the exercise of the fundamental rights of its citizens in the areas of education, health, social protection, labour, access to safe drinking water, power, housing and land. This has enabled it to achieve considerable social progress, in particular significant reductions in poverty and the rate of illiteracy.

The strengthening of the democratic and reform process undertaken at the end of the 1980s has opened the way in particular to political pluralism in elected institutions. Civil society is remarkable in its dynamism and the press is distinguished by the variety, richness and liberty of its tone.

With concern for the indissociability, interdependence and universality of human rights, Algeria has a major interest in the right to solidarity, the so-called third generation rights, such as the right to development and the environment.

Algeria is aware of the fundamental role of women in building a progressive society firmly committed to modernity, and it has guaranteed to women in its Constitution and through its legislation full participation in economic, social and



political life without distinction as compared to men. It is actively engaged in the consolidation and promotion of women's rights and has made steady progress in the emancipation of its society.

Algeria is certain that the establishment of the rule of law and the promotion of a culture of human rights are key elements for its stability and prosperity. The Government has undertaken a reform of the justice sector to bring it progressively into conformity with international norms; it has introduced required courses on human rights into the educational system and is encouraging the propagation of the culture of human rights within society. This culture is reinforced by the establishment of an independent national institution for the promotion and protection of human rights, the National Commission on Human Rights.

Its adherence to all of the international legal instruments on human rights has enabled it to bring its national legislation gradually up to the level of international standards.

Algeria has unfailingly honoured its commitments under the treaties it has ratified and has demonstrated its openness to the outside world by regularly submitting its periodic reports under the conventions ratified and by receiving non-governmental organizations whenever requested.

Furthermore, the election of Algerian experts to serve on the human rights treaty-monitoring bodies constitutes a recognition of Algeria's active role in humanitarian diplomacy.

United Nations human rights reform indeed represents an opportunity to overcome the passivity of the former situation of politicization, selectivity and double standards in human rights. Algeria is convinced that it is through dialogue and cooperation that the situation of human rights in the world will progress and is deeply attached to the universal values and principles that constitute the foundation of the Charter of the United Nations; out of respect for multilateralism, it has therefore made sustained efforts during the negotiation phase to reach the broadest possible consensus for the establishment of the Human Rights Council.

We now have a subsidiary body to the General Assembly, the most representative body possible, whose rules and functioning, we are convinced, will allow the international community to achieve the necessary objectives for the promotion of human rights.

If elected to the Council, Algeria will take resolute action for the promotion and protection of human rights by advocating for equal treatment of human rights, of all human rights and for all States. It will promote dialogue and coordination and will recommend assistance in achieving universal human rights objectives to those who express the need for it.

As it is determined to pursue its democratic path responsibly, Algeria is prepared to meet the challenge of having its performance in the area of human rights reviewed.

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**Elections to fill vacancies in subsidiary organs and
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Rights Council**

**Note verbale dated 5 April 2006 from the Permanent
Mission of Morocco to the United Nations addressed
to the Secretariat**

The Permanent Mission of the Kingdom of Morocco to the United Nations presents its compliments to the Secretariat of the United Nations and has the honour to inform the Secretariat that the Government of the Kingdom of Morocco has decided to present its candidature to the United Nations Human Rights Council during the elections that will be held on 9 May 2006.

The Kingdom of Morocco, which believes that the United Nations has a vital role in the promotion and protection of human rights, has always been committed to the aims and principles of the Charter of the United Nations, and the norms and standards emanating from the Universal Declaration of Human Rights and other international human rights instruments. In this regard, Morocco has contributed significantly to the elaboration of all core human rights instruments, as well as to the work of the Commission on Human Rights and human rights treaty bodies.

Furthermore, the Kingdom of Morocco, whose respect of international commitments is a constitutional principle, is actively and deeply committed to the promotion and respect of the universality of human rights. Morocco actively undertakes to bring its national legislation into conformity with international standards, adheres to almost all major United Nations human rights instruments and has consistently observed its reporting obligations.

In addition to outstanding accomplishments made in the fields of civil, political, economic and cultural rights (Family Code, Ombudsman, Law against Torture, etc.), the Government of the Kingdom of Morocco decided upon the publication of the final report of the Equity and Reconciliation Commission (ERC) and the implementation of its recommendations, and also launched the National Initiative for Human Development, which represents an integrated plan aimed at reducing social disparities and achieving sustained and harmonious social and economic development.



The Kingdom of Morocco, which has strongly supported the process of establishment of the new Human Rights Council, attaches great importance to their mandate and objectives, and looks forward to contributing in a constructive manner to their fulfilment.



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**Elections to fill vacancies in subsidiary organs and other elections:
election of 47 members of the Human Rights Council**

Note verbale dated 4 April 2006 from the Permanent Mission of Slovenia to the United Nations addressed to the President of the General Assembly

The Permanent Mission of Slovenia to the United Nations presents its compliments to the President of the sixtieth session of the General Assembly and has the honour to communicate the following:

The Government of the Republic of Slovenia has decided to present its candidature for election to the United Nations Human Rights Council at the elections to be held on 9 May 2006 during the sixtieth session of the General Assembly.

The Permanent Mission of Slovenia wishes to highlight the following commitments and pledges of the Republic of Slovenia with regard to its candidature of the Human Rights Council:

The Republic of Slovenia, whose very existence is rooted in the popular striving for democracy and the protection of human rights and fundamental freedoms, has continuously attempted, as a matter of policy, to contribute constructively and progressively to the universal promotion and protection of human rights. Human rights are represented in an important chapter of the Slovenian Constitution and they also constitute one of the key pillars of Slovenia's foreign policy.

In its endeavours to contribute to the protection and promotion of human rights worldwide, Slovenia has decided to take its commitment one step further and to put forward its candidature for the membership of the Human Rights Council.

Slovenia has always been committed to the aims and principles of the Charter of the United Nations and the norms and standards emanating from the Universal Declaration on Human Rights and other international human rights instruments. Slovenia succeeded or ratified major international instruments in the field of human rights, international humanitarian law and refugee law, including the International Covenant on Civil and Political Rights and its two Optional Protocols; the International Covenant on Economic, Social and Cultural Rights; the International



Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol; the Convention on the Rights of the Child and its two Optional Protocols; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the four Geneva Conventions and their two Additional Protocols; the Rome Statute of the International Criminal Court; and 75 International Labour Organization (ILO) Conventions, including all eight core ILO Conventions. In 2006 the Optional Protocol to the Convention against Torture will be ratified and Additional Protocol III to the Geneva Conventions will be signed. According to the Slovenian Constitution, these international legal instruments are directly applicable in the Slovenian legal order.

Slovenia submits regularly periodic reports required by the human rights treaties and takes steps to publicize and follow up within Slovenia on the comments and recommendations of the treaty bodies. Slovenia has also accepted being subject to all communication procedures of the United Nations human rights treaties that it has ratified.

Slovenia has further actively demonstrated its support for the drafting of an Optional Protocol to the International Covenant on Economic, Social and Cultural Rights to provide a communication procedure to the set of rights emanating from the treaty.

In 2002, Slovenia issued a standing and open invitation to the mandate holders of all special procedures of the Commission on Human Rights. We have been and remain committed to fully cooperating with the special procedures.

Slovenia has strongly supported the idea of a new Human Rights Council since it was first suggested, has actively participated in its creation and has welcomed the establishment of the Human Rights Council, including its innovative features, such as the universal scrutiny for all.

At the same time, Slovenia used to and will continue to support the strengthening of the Office of the United Nations High Commissioner for Human Rights. This includes Slovenia's support for doubling its regular budget financing in the course of the next five years so as to enable the Office to strengthen the work of the Council by assisting States effectively and objectively in implementing human rights norms and standards. Slovenia will also continue to provide, to the best of its abilities, voluntary contributions to the Office and the rest of the United Nations human rights system.

Slovenia has an active and independent national human rights institution, the Human Rights Ombudsman, providing independent assessment of the implementation of human rights obligations and standards. The Ombudsman's annual report on the human rights situation in Slovenia is a public document. The last report was made available through official channels to the Office of the High Commissioner for Human Rights immediately after its publication in July 2005 for the use of the treaty bodies and other interested mechanisms. It has also been Slovenia's consistent policy to support the inclusion of civil society's voice towards the common goal of the improvement of the human rights situation both nationally, regionally and internationally. We will continue to promote an inclusive approach with regard to the Council.

It would be a particular privilege for Slovenia to be granted the honour to serve as a member of this important body. This candidature is the first effort of Slovenia to serve as a member in the main global intergovernmental human rights body although it has continuously participated as active observer in the work of the Commission on Human Rights. Slovenia would highly value the opportunity to contribute to the work of the new Council, based on its experience in promoting human rights, democracy and the rule of law. If elected, Slovenia would appreciate the possibility of engaging with others in a constructive promotion and effective implementation of universal human rights standards. To that end, Slovenia believes the new Council should be a forum where the voice of small States is fairly represented.

Slovenia hopes to be viewed as a country that demonstrates the highest level of commitment to the promotion and protection of human rights, stands ready to engage in substantive dialogue with Member States on further elaboration of Slovenia's views and aspirations for membership on the Human Rights Council and would appreciate it if, in order to facilitate the above, the present communication would be placed on the Secretariat's list of candidates.

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**Elections to fill vacancies in subsidiary organs and other
elections: election of 47 members of the Human Rights Council**

**Note verbale dated 12 April 2006 from the Permanent Mission
of Armenia to the United Nations addressed to the President
of the General Assembly**

The Permanent Mission of the Republic of Armenia to the United Nations presents its compliments to the President of the sixtieth session of the General Assembly of the United Nations and has the honour to inform him that the Government of Armenia has decided to present its candidature at the first elections to the Human Rights Council, to be held on 9 May 2006, during the sixtieth session of the General Assembly.

The Republic of Armenia is strongly committed to the promotion and protection of human rights and has worked consistently and constructively to this end at the national, regional and international levels. Re-elected to the Commission on Human Rights in 2005, Armenia gained an invaluable experience during its tenure. As an acknowledgement of the constructive work done by the Armenian delegation, Armenia was elected as Vice-Chairman of the Commission on Human Rights for 2006.

The Republic of Armenia would appreciate an opportunity to further contribute to the work of the United Nations human rights machinery. In accordance with the General Assembly resolution 60/251 on the Human Rights Council, Armenia provides the attached aide-memoire containing its voluntary pledges and commitments (see annex).



**Annex to the note verbale dated 12 April 2006 from the
Permanent Mission of Armenia to the United Nations addressed
to the President of the General Assembly**

**Aide-memoire of the Republic of Armenia on election to the
Human Rights Council**

As a country strongly committed to the promotion and protection of human rights, the Government of the Republic of Armenia has decided to present its candidature for the elections to the newly established Human Rights Council.

The Republic of Armenia has worked consistently and constructively towards promotion and protection of human rights at national, regional and international levels. The Government of Armenia has over the past years developed sound legal and operational human rights machinery at the national level. A Continuous reform process has paved the way for Armenia's accession to the Council of Europe and implementation of the commitments undertaken upon membership.

Armenia has been successfully delivering on its national and international obligations to improve protection systems in Armenia. Over a short period of time Armenia reformed its penitentiary system, abolished death penalty and devised an appropriate legal framework to promote the rights of conscientious objectors. The legal and institutional framework for promoting all major rights and freedoms of individuals and groups was fundamentally expanded.

With the amendment of its Constitution at a referendum in November 2005, Armenia further entrenched the human rights in Armenia's legal framework by expanding the human rights provisions and streamlining them with international norms and standards, as well as Armenia's obligations under respective international legal instruments. The right to appeal to the Constitutional Court on matters of human rights has been extended to individual persons.

Armenia is a party to all major international legal instruments on human rights. It consistently delivers on its obligations under those instruments and extensively co-operates with all human rights bodies and procedures (UN, OSCE, Council of Europe).

Armenia has been equally committed to comprehensive and universal promotion and protection of all human rights at global and regional levels. In due recognition of Armenia's efforts the international community has extended its support by electing it to the UN Commission on Human Rights in 2002 and subsequently re-electing in 2005. As an acknowledgement of the constructive work done by the Armenian delegation, Armenia was elected as Vice-Chairman of the Commission on Human Rights for 2006.

Armenia firmly believes that peace, security, development and human rights are strongly interlinked and mutually reinforcing. Promotion of civil, political, economic, social and cultural rights, including the right to development is crucial in this regard. Armenia is determined to contribute to further enhancing cooperation and dialogue among nations and regions in order to promote tolerance, respect and understanding among civilizations, cultures and religions, as well as to eliminating all forms of racism, racial discrimination and xenophobia.

Armenia is committed to enhancing the international human rights promotion and protection systems by strengthening its machinery and improving special procedures and mechanisms.

Armenia is equally committed to building on past positive experience and providing forum for active interactions and interlinkages between Governments, national institutions and civil society within the new body.

Armenia is in full recognition of the principle of universality, impartiality, objectivity and non-selectivity, constructive international dialogue and co-operation in the field of human rights. It firmly supports the objective of undertaking universal periodic review of the fulfilment of human rights obligations and commitments by each state. In putting forward its candidature for the Human Rights Council, Armenia is open for such review of its own human rights obligations and record of promoting and protecting human rights and fundamental freedoms.

Armenia remains fully supportive of further strengthening the operational capacity and mandates of the Office of the High Commissioner for Human Rights and commits to further support the Office through voluntary contributions.

In confirmation of its commitments, Armenia extends an open invitation to all special procedures established in the past, which will be transferred to the Human Rights Council.

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**Elections to fill vacancies in subsidiary organs and other
elections: election of 47 members of the Human Rights Council**

**Note verbale dated 27 March 2006 from the Permanent Mission of
the Czech Republic to the United Nations addressed to the
President of the General Assembly**

The Permanent Mission of the Czech Republic to the United Nations presents its compliments to the President of the sixtieth session of the General Assembly and has the honour to advise that the Government of the Czech Republic has decided to present the candidature of the Czech Republic for election to the Human Rights Council at the election to be held during the sixtieth session of the Assembly on 9 May 2006. The candidature of the Czech Republic to the Human Rights Council constitutes the continuation of its campaign for election to the Commission on Human Rights in the period 2007-2009.

On the basis of its own historical experience, the Czech Republic attaches great importance to the universal promotion, protection and implementation of civil and political rights as well as of cultural, economic and social rights. The promotion and protection of human rights constitutes the basis of the foreign policy of the Czech Republic. Continued attention is paid to regional and universal human rights mechanisms that in an important way complement national mechanisms. During its membership in the Commission on Human Rights in the period 1997-2002, the Czech Republic actively participated in the reinforcement of those principles and would like to continue its work in that field.

The Czech Republic has ratified nearly all major United Nations human rights conventions and optional protocols to those conventions. The Czech Republic has been cooperating in a constructive way with the Treaty Committees supervising the observance of the commitments arising from major human rights conventions of the United Nations. The Czech Republic supports the work of the United Nations Special Procedures and promotes effective cooperation with these mechanisms — it was among the first countries to have extended standing invitations to them.

The Government of the Czech Republic has decided to work for the promotion and protection of human rights during its future membership of the Human Rights Council through the following voluntary commitments:



- To ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
 - To ratify the European Charter for Regional or Minority Languages;
 - To support the approval of the draft International Convention for the Protection of All Persons from Enforced or Involuntary Disappearance;
 - To contribute to the negotiation and early approval of the draft Comprehensive and Integral International Convention on the Protection and Promotion of the Rights and Dignity of Persons with Disabilities.
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**Elections to fill vacancies in subsidiary organs and other elections:
election of 47 members of the Human Rights Council**

Note verbale dated 11 April 2006 from the Permanent Mission of the Russian Federation to the United Nations addressed to the President of the General Assembly

The Permanent Mission of the Russian Federation to the United Nations presents its compliments to the President of the sixtieth session of the General Assembly of the United Nations and has the honour to attach herewith an aide-memoire regarding the election of the Russian Federation to the Human Rights Council (see annex), and to draw attention to the context of Russia's pledges in the sphere of promotion and protection of human rights.



Annex to the note verbale dated 11 April 2006 from the Permanent Mission of the Russian Federation to the United Nations addressed to the President of the General Assembly

Aide-memoire on the question of the election of the Russian Federation to the Human Rights Council

In September 2005, the decision to create a new main United Nations human rights body — the Human Rights Council — was adopted at the meeting of the Heads of State and Government (Summit 2005) in New York.

Within the framework of implementation of this historical decision, on 15 March 2006, the General Assembly at its sixtieth session adopted resolution 60/251 which contains the provisions regarding the mandate, membership and election procedure to the Council, and also indicates that the first elections to the Council will be held on 9 May 2006 at the plenary meeting of the General Assembly.

The Government of the Russian Federation has taken a decision to submit the candidature of Russia for election to the Human Rights Council for one of the six seats allocated in the body to the Eastern European regional group.

The Russian Federation attaches great importance to the development of constructive international cooperation in the field of the promotion and protection of human rights. The Russian Federation (USSR) was a member of the United Nations Commission on Human Rights from the date of its creation (at present the Commission has completed its work). Our country actively supports the work of the Office of the United Nations High Commissioner for Human Rights. Evidence of this support are four visits of the High Commissioner for Human Rights to Russia (including two official visits by Mrs. Louise Arbour), and also a decision of the Government of the Russian Federation of December 2005 regarding an annual voluntary contribution of US\$ 2 million to the budget of the Office of the United Nations High Commissioner for Human Rights beginning this year.

Active cooperation with the special procedures of the Commission on Human Rights, which have been transferred to the Human Rights Council, constitutes an integral part of the policy of the Russian Federation. During the past several years our country hosted visits by the Special Representative of the Secretary-General on internally displaced persons, the Special Representative of the Secretary-General on children and armed conflict, the Special Rapporteur on child prostitution, child pornography and the sale of children, and the Special Rapporteur on violence against women. We have scheduled for the current year visits of the Special Rapporteur on contemporary forms of racism and the Special Rapporteur on the question of torture.

Besides, the Russian Federation actively cooperates with regional human rights institutions and mechanisms, in particular with the Council of Europe, the Organization for Security and Cooperation in Europe and the Council of Baltic Sea States.

Russia is a party to six core international human rights treaties: the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the

Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention on the Rights of the Child. In accordance with our international obligations under these treaties, Russia timely submits periodic reports to the relevant human rights treaty bodies. In terms of the number of already presented reports (38) Russia is among the leading nations of the world. Besides, the Russian Federation recognizes, where applicable, the competence of human rights treaty bodies to consider individual complaints on alleged violations of obligations regarding specific rights and freedoms under relevant treaties.

Russian representatives have always been active participants in drafting new international legal documents in the field of human rights. At the same time the Russian Federation believes that elaboration of new human rights standards should be one of the main areas of activity of the Human Rights Council and its working bodies.

We proceed from the assumption that States themselves should bear the main responsibility for the protection of human rights and freedoms. The Russian Federation is convinced that the Human Rights Council's activities should encourage the development of constructive international cooperation in the humanitarian sphere, the strengthening of the international system for the promotion and protection of human rights on the basis of equity and equality in accordance with the goals and principles stipulated in the Charter of the United Nations. Russia is confident that human rights should contribute to bringing together different countries and groups of countries and improve the atmosphere of trust and mutual respect in international relations.

Given our record in the field of international cooperation for human rights, we believe that our partners in the General Assembly will offer their support to the candidature of the Russian Federation during the elections to the Human Rights Council on 9 May 2006.



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**Elections to fill vacancies in subsidiary organs
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**Note verbale dated 17 April 2006 from the Permanent Mission of
Tunisia to the United Nations addressed to the President of the
General Assembly**

The Permanent Mission of Tunisia to the United Nations presents its compliments to the President of the United Nations General Assembly and has the honour to inform him that the Tunisian Government has decided to present its candidature to the Human Rights Council at the elections to be held on 9 May 2006. An aide-memoire containing Tunisia's pledges is enclosed herewith.

The Mission of Tunisia would appreciate it if Tunisia's candidature as well as the enclosed aide-memoire on Tunisia's pledges are posted on the relevant General Assembly website.



Annex to the note verbale dated 17 April 2006 from the Permanent Mission of Tunisia to the United Nations addressed to the President of the General Assembly

15 April 2006

Aide-memoire relating to the candidacy of Tunisia to the Human Rights Council

1. Tunisia's commitment to human rights, which has never ceased to gain strength, is rooted in its historic heritage and further reinforced by political will, strongly enhanced since 7 November 1987.
2. Tunisia, which has supported the establishment of the Human Rights Council, is convinced that this body will bring an important contribution to the strengthening of international achievements in the field of human rights and will increase the international consensus regarding all aspects related to the promotion and the protection of all human rights.
3. Tunisia is a party to all international and regional conventions on human rights and is fully associated with all endeavours by the United Nations Member States aimed at the promotion, protection and consolidation of human rights. This commitment was materialized by the establishment, at the national level, of appropriate mechanisms for the promotion and dissemination of the culture of human rights through the enactment of a comprehensive legal framework in order to avoid any form of violation of human rights.
4. Tunisia has devised and implemented a human rights approach which is global, progressive and dynamic. Such an approach guarantees fundamental freedoms and human rights in their universal, global, complementary and interdependent dimensions.
5. Tunisia has adopted a number of measures aimed at strengthening the rule of law and ensuring the fundamental freedoms and rights of the human being, thus leading to a harmonious development of the individual and the society as a whole. The promotion of democracy and political pluralism, supported by undisputed economic and social achievements and by a dynamic and active civil society, all made it possible for Tunisia to attain an advanced position among emerging countries on the human development scale.
6. The promotion and the protection of the rights of the woman and child as well as policies and programmes extending to all social categories, with no exclusion, the benefits of development enjoyed by the country, make Tunisia among pioneer States in ensuring social rights.
7. National policies adopted by Tunisia since independence in the promotion of the rights of women and gender equality guarantee that all components of Tunisian society enjoy equal rights and equitable opportunities to reach personal fulfilment and to participate actively in economic and social life.
8. Convinced that peace, security, development and human rights are interdependent and mutually reinforcing, Tunisia is, at the international level, a party to instruments and conventions on the promotion and protection of human

rights and plays an active role within regional and international forums for the promotion of human rights.^{*}

9. Tunisia actively participates in the work of the United Nations and regional bodies dealing with human rights and cooperates with the United Nations human rights mechanisms. It has always honoured its commitment to present its periodic reports under the conventions it has ratified.

10. Tunisia actively participates in regional and international efforts to make the values of tolerance, solidarity and dialogue among cultures and civilizations a reality, thus promoting understanding between peoples on the basis of respect for religions and beliefs.

11. Tunisia, which has actively participated in the debate concerning the role of the newly established Human Rights Council, is firmly convinced that this body, which is of particular importance, will undoubtedly contribute to the promotion of a global and consensual approach to human rights on the basis of respect for human dignity and international law.

12. Tunisia will fully contribute to the efficient functioning of the Human Rights Council and to international efforts aimed at promoting the culture of human rights throughout the world.

* Tunisia is a party to the following main instruments:

- International Covenant on Economic, Social and Cultural Rights
- International Covenant on Civil and Political Rights
- Convention on the Rights of the Child
- Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography
- Convention on the Elimination of All Forms of Discrimination against Women
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- Convention against Discrimination in Education
- Slavery Convention
- Protocol amending the Slavery Convention, signed on 7 December 1953
- Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery.

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**Elections to fill vacancies in subsidiary organs and other
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**Note verbale dated 5 April 2006 from the Permanent Mission
of China to the United Nations addressed to the Secretariat**

The Permanent Mission of the People's Republic of China to the United Nations presents its compliments to the Secretariat of the United Nations and has the honour to inform the latter that the Government of the People's Republic of China has decided to present its candidature to the Human Rights Council of the United Nations at its first election to be held during the sixtieth session of the General Assembly on 9 May 2006 in New York.

The Permanent Mission of the People's Republic of China to the United Nations, with reference to its candidature to the Human Rights Council, has the honour to present an aide-memoire containing the pledges and commitments of the Government of the People's Republic of China to the protection and promotion of human rights (see annex).

The Chinese Government has all along been committed to the promotion and protection of human rights and fundamental freedoms and has taken an active part in international human rights dialogues and cooperation. The Chinese Government supports the Human Rights Council to handle human rights issues with impartiality, objectivity and non-selectivity, and to enhance constructive dialogues and cooperation among civilizations, cultures and religions. The Chinese Government is convinced that its election will be conducive to the noble cause of the Human Rights Council in promoting and protecting human rights around the world.



**Annex to the note verbale dated 5 April 2006 from the
Permanent Mission of China to the United Nations addressed
to the Secretariat**

Aide-memoire

1. The Chinese Government has decided to present its candidature to the Human Rights Council of the United Nations at the elections to be held during the sixtieth session of the General Assembly on 9 May 2006 in New York.

2. The Chinese Government is committed to the promotion and protection of human rights and fundamental freedoms of the Chinese people. Since reform and opening-up started 28 years ago, it has made strenuous efforts in promoting social progress in all fields. The Chinese people have made a historic leap from having adequate food and clothing to moderate prosperity. Two hundred and fifty million people have been lifted above the poverty line. Remarkable achievements have been made in the areas of education, culture, health care, science and technology. The National People's Congress has adopted nearly 300 laws and regulations related to the protection of civil and political rights, ensuring complete freedom of the Chinese people in movement, employment, access to information, religious belief and ways of life.

3. China is a developing country with a big population. Much work remains to be done in the field of human rights. In 2004, the statement that "The State respects and safeguards human rights" was written into the Constitution by the National People's Congress, defining the position of human rights in the overall national development strategy. Following this constitutional principle, the Chinese Government is consistently pursuing the scientific outlook on comprehensive, balanced and sustainable development that is people-centred, steadily advancing judicial reform, and constantly improving democracy and the legal system, with a view to building a harmonious society featuring social justice and overall human development. At the fourth session of the tenth National People's Congress in March 2006, the eleventh Five-Year Plan for National Economic and Social Development was adopted. The Plan puts forward the ambitious goal of building a new socialist countryside. It puts emphasis on effectively protecting the rights and interests of farmers, the overwhelming majority of the whole population, and improving their well-being, so that the entire population can equally share the benefits of reform and development.

4. The Chinese Government respects the universality of human rights and supports the United Nations in playing an important role in the protection and promotion of human rights. China has acceded to 22 international human rights instruments, including five of the seven core conventions: the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Chinese Government has earnestly fulfilled its obligations and regularly submits reports on implementation. Having signed the International Covenant on Civil and Political Rights, China is now in the process of amending its criminal, civil and administrative procedure laws and deepening judicial reform to create conditions for ratification at an early date.

5. The Chinese Government actively cooperates with the Office of the United Nations High Commissioner for Human Rights as well as the special mechanisms of the Human Rights Commission. At its invitation, Ms. Mary Robinson, the former High Commissioner, paid seven visits to China. In August 2005, the incumbent High Commissioner, Ms. Louise Arbour, visited China. During the visit, the memorandum of understanding on the Mutual Agreement to Cooperate in the Development and Implementation of Technical Cooperation Programmes was signed between China and the Office, identifying the priorities of cooperation for the next three years. This is the third cooperation agreement between the two sides since 2000. In recent years, the Chinese Government has invited to China the Special Rapporteur on freedom of religion or belief, the Working Group on Arbitrary Detention, the Special Rapporteur on the right to education and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment. The Chinese Government has given responses in a highly responsible manner to the communications from all the special procedures of the Human Rights Commission as well as those transmitted through 1503 procedure.

6. The Chinese Government holds that owing to differences in social systems, level of development, religions and cultural background as well as historical tradition, it is natural for countries to differ on human rights issues. China has all along advocated dialogues and exchanges between countries based on equality and mutual respect, which will enable them to enhance mutual understanding, broaden consensus, learn from each other and make progress together. China often conducts human rights exchanges and cooperation of various forms with other developing countries in Asia, Africa and Latin America. Human rights dialogues and consultations have also been held between China and the European Union, Canada, the United Kingdom, Germany, Norway, Switzerland, the United States, Australia and Hungary, etc. China is extensively engaged in human rights dialogues and exchanges within regional, subregional and interregional cooperation frameworks. It has hosted the eighth and thirteenth Workshop of the Framework on Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific Region and two ASEM informal human rights seminars.

7. The Chinese Government took an active part in the Vienna World Conference on Human Rights in 1993 and the Durban World Conference against Racism in 2001, as well as the Human Rights Commission over the past decades, and has made its contributions to the formulation of international human rights instruments, the fight against apartheid, and the promotion of economic, social and cultural rights as well as the right to development. China supports the establishment of the Human Rights Council and has played a constructive role in the consultation of the relevant General Assembly resolution. The Chinese Government holds that the Human Rights Council should respect the historical, cultural and religious backgrounds of different countries and regions, and promote dialogue among civilizations, cultures and religions; and attach equal importance to civil and political rights on the one hand and economic, social and cultural rights on the other. The Council should ensure impartiality, objectivity and non-selectivity in the consideration of human rights issues, and the elimination of double standards and politicization, thus avoiding the mistake of political confrontation made by the Human Rights Commission. China stands ready to take an active part in the future work of the Council and work together with all other members to achieve the above goals.



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Sixtieth session

Agenda item 112 (e)

**Elections to fill vacancies in subsidiary organs and
other elections: election of 47 members of the
Human Rights Council**

Note verbale dated 5 April 2006 from the Permanent Mission of Kyrgyzstan to the United Nations addressed to the President of the General Assembly

The Permanent Mission of the Kyrgyz Republic to the United Nations presents its compliments to the President of the sixtieth session of the United Nations General Assembly and has the honour to inform him that the Government of the Kyrgyz Republic has decided to present its candidature for the United Nations Human Rights Council, at the elections that will be held during the sixtieth session of the General Assembly of the United Nations, on 9 May 2006 in New York. In this regard the Permanent Mission of the Kyrgyz Republic would like to highlight the following commitments and pledges of Kyrgyzstan.

The Kyrgyz Republic attaches great importance to the promotion and protection of human rights issues and since its independence has demonstrated commitments to the idea of the universality of human rights as well as dedication to the principles of democracy and the rule of law.

Kyrgyzstan is a State party to more than 30 principal human rights instruments, including the Convention on the Elimination of All Forms of Discrimination against Women; the Convention on the Rights of the Child; the Convention against Torture; the International Convention on the Elimination of All Forms of Racial Discrimination; the International Covenant on Civil and Political Rights; and the International Covenant on Economic, Social and Cultural Rights.

The Government of Kyrgyzstan has achieved in the framework of the ongoing process many outstanding accomplishments especially in the field of the promotion of women's and children's rights, as well as in the field of civil, political, economic, social and cultural rights, undertakes actively to make its national legislation accord with international standards, has launched national programmes and initiatives for human development, had established different bodies, including institution of the Ombudsman of Kyrgyzstan and the National Committee on human rights issues, and works closely with non-governmental human rights organizations.



The Kyrgyz Republic fully supports and actively works with international organizations in the field of human rights and fundamental freedoms and considers the Human Rights Council to be the most important step in the work of the United Nations in human rights matters through dialogue and cooperation among the nations.

Kyrgyzstan attaches great importance to the work of the new Human Rights Council and is deeply committed to upholding the highest standards in the protection of human rights and will present, prior to the elections, its commitments in this field.



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Agenda item 112 (c)

**Elections to fill vacancies in subsidiary organs and other elections:
election of 47 members of the Human Rights Council**

**Note verbale dated 4 April 2006 from the Permanent
Mission of Cuba to the United Nations addressed to
the Secretary-General**

The Permanent Mission of Cuba to the United Nations presents its compliments to the Office of the Secretary-General of the United Nations and has the honour to inform it that the Government of the Republic of Cuba has decided to put forward its candidacy for membership in the Human Rights Council at the election to be held during the sixtieth session of the General Assembly, on 9 May 2006 in New York.

To that end, the Permanent Mission of Cuba requests the Office of the Secretary-General to register its Government's candidacy for membership in the Council and attaches herewith a copy of an aide-memoire, circulated to all Permanent Missions, in support of its Government's desire to become a member of the Council.

The Permanent Mission of Cuba to the United Nations takes this opportunity to convey to the Office of the Secretary-General the renewed assurances of its highest consideration.



**Annex to the note verbale dated 4 April 2006 from the
Permanent Mission of Cuba to the United Nations
addressed to the Secretary-General**

The Government of the Republic of Cuba attaches the greatest importance to international cooperation for the promotion and protection of human rights within the United Nations framework and, to that end, aspires to become a founding member of the Human Rights Council.

Cuba participated actively and constructively in the negotiation of the modalities that brought about the establishment of the Human Rights Council, presenting, at various stages of the process, proposals and contributions aimed at guaranteeing that the new body eradicate from its work the harmful practices of confrontation and political manipulation which brought discredit upon the Commission on Human Rights. Cuba also strove to ensure that consideration was given to the justified historical demands of the peoples of the South, and of most of the inhabitants of the planet, concerning issues such as the effective realization of the right to development, action to combat racism, racial discrimination, xenophobia and related intolerance and ensuring full respect for the principles of universality, indivisibility, objectivity and non-selectivity to strengthen cooperation and frank and genuine dialogue in human rights matters.

Cuba reaffirms its readiness to continue working tirelessly to achieve the shared goal of enjoyment of all human rights by all individuals and peoples throughout the world, on the basis of respect for the Charter of the United Nations, the internationally agreed human rights instruments and the Vienna Declaration and Plan of Action.

Our country had submitted its candidacy for re-election to the United Nations Commission on Human Rights, for the period 2007-2009, at the election which was to take place during the organizational session of the Economic and Social Council in May of 2006.

Cuba hopes that its membership in the most important specialized body of the United Nations in human rights matters will have a positive impact not only for its own people, but also for the rest of the international community. We will share our experiences, we will learn from all those who have good practices to convey and we will continue searching for effective responses to the shared aspirations of all the peoples of the world, in particular those of us who live in the southern part of the planet.

The Cuban people have made significant progress towards the enjoyment of all human rights. Whether in the area of economic, social and cultural rights, civil and political rights, or in the achievement of the so-called third generation solidarity rights, the Cuban people can show the world, with deep humility yet with full satisfaction and pride, their remarkable achievements.

Chief among them — the most important attribute and right which the Cuban people have achieved — is without any doubt the full exercise of its right to self-determination, despite the serious obstacles and threats it faces owing to the unilateral policy of hostility, aggression and embargo imposed on it by the super-power.

Cuba's significant achievements in areas such as health care, education, scientific and technical research, culture and sport are internationally known. What

is hidden or distorted, however, is the fact that all this was made possible precisely because the Cuban people are masters of their political fate and the country's resources, exercise full control over the country's life and participate actively in the effective system of democracy they designed and approved in a universal plebiscite.

Many of the peoples of the world have first-hand knowledge of the noble ideals on which the Cuban people's international activity is based. Many of them have directly benefited from the Cuban people's selfless and ongoing commitment to furthering the human rights of everyone, everywhere in the world. Tens of thousands of Cubans shared in their African brothers' struggles against colonialism and apartheid. Today, 37,000 Cuban cooperation workers can be found in the remotest villages, mountain areas and other difficult-to-reach places in 108 nations throughout Latin America and the Caribbean, Africa and Asia, sharing with those peoples Cuba's achievements in areas like health care and education.

Cuba has a long record of international human rights cooperation, and has demonstrated through specific action its unequivocal willingness to engage in frank and open dialogue. Cuba is a State party to 15 of the main international human rights instruments and a signatory to two more.

Cuba was one of the first countries to be visited by the United Nations High Commissioner for Human Rights, barely a year after that post was established. It has also hosted visiting missions of several thematic procedures of the Commission, to which it systematically supplies all the information needed to meet their requests. Cuba fulfils its obligation to submit periodic reports to the international human rights treaty bodies. Next summer it will defend its report to the Committee on the Elimination of Discrimination against Women.

In putting forward its candidacy for membership in the Human Rights Council, Cuba hopes to contribute decisively to the consolidation of an approach of cooperation and understanding in the work of the United Nations human rights machinery. Its experience will serve to avoid the new body being tainted by the adverse practices of confrontation and unjust condemnation of the peoples of the South, on the basis of spurious motivations that are completely alien to the legitimate cause of defending human rights.

Cuba confirms its will to promote, within the Council, its traditional initiatives on such vital issues as the right to food, the promotion of cultural rights and respect for cultural diversity and the promotion of peace as a vital requirement for the enjoyment of all human rights. Cuba will also continue working for the progressive development of third generation rights, in particular of international solidarity.

Considering that it will assume the chair of the Non-Aligned Movement (NAM) next September, Cuba aspires to promote, from its seat on the Council, the fulfilment of the mandate it receives at the next summit meeting of the 114 countries that make up the Movement. Should it become a member of the Council, its capacity to present and promote effectively the traditional NAM initiatives in human rights matters, in particular the right to development, will be strengthened.

If elected to the Human Rights Council, Cuba will work to uphold truth, justice, genuine dialogue and much-needed international cooperation to promote and protect all human rights for all peoples and individuals.

The Government of Cuba would greatly appreciate the valuable support of your distinguished Government for its candidacy.



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Agenda items 121 and 136

Financial reports and audited financial statements, and reports of the Board of Auditors

Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Report of the Board of Auditors on the accounts of the United Nations peacekeeping operations for the financial period ended 30 June 2005

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Board of Auditors on the accounts of the United Nations peacekeeping operations for the financial period ended 30 June 2005 (A/60/5 (Vol. II), chap. II). During its consideration of the report, the Advisory Committee met with members of the Audit Operations Committee, who provided additional information and clarification. The Committee also had before it the report of the Secretary-General on the implementation of the recommendations of the Board of Auditors concerning United Nations peacekeeping operations for the period ended 30 June 2005 (A/60/691).

2. The present report will address general issues related to the findings of the Board of Auditors. The Advisory Committee will take into account the Board's comments on specific peacekeeping operations when it considers the performance reports and budgets of those missions. In addition, in its general report on peacekeeping operations, the Committee will make detailed observations and recommendations on some of the cross-cutting issues also dealt with by the Board.

3. The Board's audit covered:

- (a) Headquarters operations;
- (b) Fourteen active field missions;
- (c) One active field mission that was not visited because of the security situation;



- (d) The United Nations Logistics Base at Brindisi, Italy;
- (e) Twenty-two completed missions;
- (f) One liquidated mission;
- (g) The Peacekeeping Reserve Fund;
- (h) The support account for peacekeeping operations.

The Board of Auditors also addressed requests made by the Advisory Committee and the General Assembly, as outlined in paragraph 5 of its report. The Board's main recommendations are summarized in paragraph 13 of the report.

4. The Board noted in paragraphs 15 to 20 of its report that during its audit a number of reviews involving peacekeeping operations were either under way or planned by other oversight bodies. As indicated in paragraph 17 of the report, "The Office of Internal Oversight Services planned to undertake a comprehensive management review" in the areas of mission planning, to identify risks and exposure to duplication, fraud, abuse of authority, inefficiency and ineffectiveness; substantive operations in respect of rule of law, disarmament, demobilization, rehabilitation and reintegration, elections, human rights and mine action, information technology, human resources management; financial management and budgeting, procurement and supply, transport operations in two missions; and assessment of the Peacekeeping Best Practices Section. In addition, the Joint Inspection Unit was conducting an evaluation of the implementation of results-based budgeting in peacekeeping operations, and external consultants had been appointed by the Administration to make an assessment of the internal controls of the Procurement Service. Accordingly, in order to avoid duplication of effort, the Board limited its performance-related coverage of the above-mentioned subjects to following up on the status of implementation of its previous recommendations in those areas.

5. The Board has rendered an unqualified audit opinion; however, in so doing, it has also drawn attention to the review of procurement activities being undertaken by the Office of Internal Oversight Services (OIOS) and to the internal controls review outsourced by the Administration. The Board stated that it is cognizant of the forensic audit commissioned by the Administration to expand on these reviews (see A/60/5 (Vol. II), chap. III). Upon request for clarification, the Advisory Committee was informed that a qualified opinion can be issued if there is a distortion of financial statements which is material or if there is a limitation on the scope of the audit. The Board determined that neither of those conditions pertained, as the above-mentioned reviews had not been finalized, nor had the results of the reviews been quantified. Members of the Audit Operations Committee expressed the view during the hearings with the Committee that, while the Board's review of management issues may have been somewhat limited by the other ongoing reviews, the ability of the Board to give an audit opinion had not been affected. Details on the different types of audit opinions are provided in the Committee's report of 30 September 2002 (see A/57/439, annex).

6. The Advisory Committee commends the Board for its presentation of a clear and reader-friendly report. It welcomes, in particular, the inclusion of details concerning the age of recommendations which are either under implementation or have not been implemented (see A/60/5 (Vol. II), annex II).

as recommended by the Committee in its report of 22 April 2005 (A/59/736, para. 8). The Committee notes, however, that the issue of the responsibility for setting the time frames for implementation of recommendations still has not been settled.

7. The Advisory Committee was informed that it was the Board's view that its involvement with the Administration should be limited to pointing out problems and that it was the responsibility of management to prioritize and set time frames for the implementation of recommendations. In this connection, the Committee recalls paragraph 11 of General Assembly resolution 60/234 of 23 December 2005, by which the Assembly requested the Secretary-General and the executive heads of the funds and programmes of the United Nations to include in future reports on the implementation of the recommendations of the Board of Auditors information on the setting of time frames, the identification of office holders and priorities for the implementation of the recommendations of the Board. **The Committee trusts that this matter will be dealt with promptly.**

8. In paragraph 9 of its report, the Board confirmed that, with respect to the recommendations it had made in its report for the period ended 30 June 2003, there were no significant outstanding matters, except for those addressed in its current report. With regard to the period ended 30 June 2004, the Board reported in paragraph 10 that out of a total of 78 recommendations, 38 (49 per cent) had been implemented, while 35 (45 per cent) were under implementation and 5 (6 per cent) had not been implemented.

9. Members of the Audit Operations Committee cited numerous instances of unexplained non-compliance with manuals, guidelines and regulations, which in some cases have led to losses for the United Nations. Examples of non-compliance have included: failure to ensure that performance bonds were in place for a number of contracts; failure to establish vendor review committees; failure to submit a procurement plan; and failure to carry out the on-site aviation quality inspection before the award of a contract. **The Advisory Committee urges the Administration to take immediate action to prevent future non-compliance and to review current cases, as appropriate, so as to determine the persons accountable for the non-compliance.**

Financial issues

10. As noted in paragraphs 21 to 36 of the report of the Board of Auditors, the financial situation of the peacekeeping operations improved slightly in the financial year ended 30 June 2005. Total income for the year amounted to \$4.5 billion, while expenditure totalled \$4.1 billion. The increase in expenditure of approximately 41 per cent was principally attributable to the expanded operations of recently established missions. Outstanding assessed contributions amounted to \$1.66 billion, an increase of 9 per cent over the previous financial year, resulting in a deterioration in the amount of cash available (\$1.74 billion) to settle liabilities (\$2.05 billion).

11. The Board noted that 42 per cent of the total amount owed had been outstanding for over one year and expressed its concern regarding the uncertainty of recovery of unpaid assessments, particularly for completed missions. This is relevant since the General Assembly has not made a provision for possible non-collection. The Board further noted that the non-payment of assessments seriously affects the ability of the Organization to meet its financial obligations, as it has a

negative impact on cash flows. During the 2004/05 financial period this has necessitated the borrowing of \$125.5 million by three active missions from the accounts of closed missions.

12. In a related matter, the Advisory Committee was informed by the Audit Operations Committee that the adoption of the International Public Sector Accounting Standards (IPSAS), which the Secretary-General intends to seek from Member States in 2006 (see A/60/692, para. 75), would have significant implications for the United Nations, involving, among other things, the funding of after-service liabilities, the possibility of the financial statements reflecting negative equity, annual reporting cycles, a new enterprise resource planning system, and capitalization and depreciation of assets expenditure. The Committee enquired as to how this would affect the peacekeeping operations. In response, the Committee was informed that under IPSAS there would be a requirement, among other things, for a provision to write off unpaid assets which are deemed uncollectable. In addition, future peacekeeping financial statements would include a line for expendable and non-expendable equipment. For example, spare parts that are used during the financial period would be treated as expenses, while the remainder would be recorded as assets. Similarly, vehicle depreciation would be recorded as an expense. Under IPSAS, the financial statements would also disclose future staff-related costs, including after-service health insurance. Further, with regard to obligations, under the new standards, only the amount of goods and services actually received could be recorded as expenses, thus eliminating the necessity for cancellation of prior-period obligations. This would have the added advantage of curbing the tendency to accelerate expenditure in the fourth quarter of the financial period.

13. The Advisory Committee notes that cancellation of prior-period obligations has increased from \$73.6 million in 2003/04 to \$167.8 million in 2004/05 (A/60/5 (Vol. II), chap. II, para. 34). As stated by the Board, that may either be an indication of a need to improve budget planning and monitoring or of a risk that invalid obligations were initially raised, or a combination of the two. **The Committee shares the Board's concern regarding this matter and urges the Administration to take prompt action to implement measures to address any shortcomings.**

Procurement and contract management

14. For the reasons noted in paragraph 4 above, the Board confirmed its review of procurement and contract management issues in the peacekeeping operations to determine the status of implementation of its previous recommendations. Among other things, the Board noted in paragraph 68 that systems contracts were not allocated on an equitable geographical basis, opportunities for coordinated procurement at the local level had not been fully explored, vendor review committees had not been established in all missions, performance bonds had not always been obtained from contractors in accordance with procurement regulations, a vacancy rate of more than 10 per cent existed in respect of procurement staff at five missions, guidelines for the implementation of ethical principles for United Nations procurement staff were yet to be promulgated, the number of expeditious cases submitted by missions to Headquarters were on the increase and the lead times for approval by the Headquarters Committee on Contracts were protracted.

15. With regard to registration of prospective local vendors, the Board noted that the Procurement Service had envisaged new technical evaluation procedures based

on a concept whereby a particular United Nations agency would take the lead in procurement activities within its area of expertise. The goal was to improve the quality of technical evaluation of prospective vendors by using expertise available within the system. The Board expressed concern that that approach could lead to inconsistency (see A/60/5 (Vol. II), chap. II, paras. 80 and 81) and expressed the view that a common framework or guidance was still required. **In the opinion of the Advisory Committee, the positions of the Administration and the Board are not necessarily mutually exclusive. In further developing this concept, the Administration should pay due attention to the concerns of the Board by issuing guidelines which would ensure that there is consistency in the relevant procedures to determine specific needs and to evaluate the ability of prospective vendors to meet those needs in a timely and cost-effective manner.**

16. As noted in paragraphs 94 to 99 of the Board's report, the failure to obtain performance bonds in a number of instances resulted in estimated additional costs to the United Nations of an amount in the order of \$1.5 million (see also para. 9 above). Upon enquiry, the Advisory Committee was informed that the Board could determine no mitigating reason why the performance bonds were not obtained and that this appeared to be a case of pure non-compliance with procurement directives. **The Committee supports the Board's recommendation that performance bonds should be obtained in a timely manner and trusts that the Administration will thoroughly investigate the circumstances surrounding the cases mentioned by the Board and take appropriate action.**

17. As indicated in paragraph 100 of the report, there was an overall vacancy rate of 17 per cent in respect of procurement staff during the financial year 2004-05, which represented an improvement over the prior year. Further, there were three Chief Procurement Officer positions vacant as at 31 July 2005, of which two were vacant for over a year. The Board also pointed out that during the 2004-05 period the United Nations Stabilization Mission in Haiti had five successive Chief Procurement Officers or officers-in-charge from other missions.

18. As noted in paragraph 102 of the report, the Administration explained the difficulties in attracting and retaining procurement staff solely in terms of conditions of service, citing the requirement to recruit new staff principally on 100 series appointments of limited duration and the lack of a hardship element in the mission subsistence allowance as problems in that regard. However, in paragraph 168 of the Board's report, it was indicated that the Department of Peacekeeping Operations did not have a viable mechanism that would enable it to attribute difficulties in attracting candidates to the type of contract offered and that the Department had observed that "while anecdotal information indicates that the more favourable conditions of service offered by other organizations, including those in the United Nations common system, had an impact on the recruitment and retention of highly qualified personnel for peace operations, this information is difficult to document empirically". Furthermore, it was noted in the last sentence of paragraph 102 that the Department had stated that missions, in coordination with the Department's Personnel Management and Support Service, were actively recruiting staff for all vacant posts, and that significant progress had been achieved since the Board's audit in August 2005. **The Advisory Committee expects that the comprehensive report on conditions of field service to be submitted to the General Assembly at its sixty-first session (see General Assembly resolution 59/206, sect. X, para. 6) will contain a more analytical presentation of these and other issues.**

19. As noted in paragraphs 126 to 134 of the Board's report, cases of ex post facto approval of contracts had more than tripled, from 30 in 2003 to 97 in 2004. Those were cases in which the administrative head of mission had made procurement awards in excess of the delegated procurement authority of \$200,000 without prior presentation to the Procurement Service at Headquarters. Under the United Nations Procurement Manual, ex post facto presentations are permitted only in cases of exigency. As the Board noted, however, a number of presentations made to the Headquarters Committee on Contracts related to the extension of existing lease contracts, the expiration date of which was well known to the peacekeeping missions. Coupled with that problem was the lengthy lead time for contract approval by the Headquarters Committee on Contracts, which was noted by the Board in paragraphs 135 to 137 of its report. In the 15 cases sampled by the Board, lead times ranged from 7 to 461 days, or an average of 125 days per case. The average lead time between the date the submission was received by the Procurement Service and the date it was forwarded to the Headquarters Committee on Contracts was 55 days. Problems with the quality of the information provided by the missions could also have been a factor in the delay of approval. In the view of the Advisory Committee, these problems may be related. If the approval process takes an inordinate amount of time, missions may be tempted to get around the system in whatever way they can. On the other hand, there can be little justification for ex post facto presentation for a need that can be predicted well in advance, such as the renewal of a lease. The Committee urges the Administration to take a fresh look at the entire process, including the issue of delegation of authority, giving due account to the need for strong accountability measures.

Air operations

20. The Advisory Committee welcomes the Board's thorough reporting on air operations in the peacekeeping operations, which will aid the Committee and the General Assembly in their examination of the peacekeeping performance reports and budgets. In the paragraphs below, the Committee comments on a number of the Board's observations and recommendations. It will return to others in the context of its general report on peacekeeping operations.

21. The Board noted that the total air transportation budget for 2004/05 amounted to \$419.5 million, while actual expenditure incurred totalled \$371.2 million, for a budget implementation rate of 88.8 per cent. Of the 133,296 flight hours budgeted, a total of 42,323 hours, or 32 per cent, were not utilized, continuing a trend of what appears to be overbudgeting for air transportation costs. The Advisory Committee notes that the Department of Peacekeeping Operations has now moved from the commercial industry approach of block hours costing for air operations contracts to a costing structure whereby a basic monthly fee is paid plus a fee for every hour flown. As noted in paragraph 166 of the Board's report, all 62 new contracts entered into during the 2004/05 financial year utilized the new costing structure. The Committee was informed that it was the Department's contention that the savings realized in air operations were attributable to this new approach, however, no evaluation has been conducted to determine the effects and benefits, if any, of the new costing structure. The Committee has previously commented in some detail on this matter (see A/59/736, paras. 88 and 89). The Committee believes that the Department has now had sufficient experience with implementing the new costing structure to be able to undertake a meaningful analysis of its impact. It

therefore joins the Board in recommending that the Administration determine whether the change of air operations contracts to the new costing structure has resulted in savings or brought other benefits (A/60/5 (Vol. II), para. 168).

22. Among its other findings, the Board noted that only 43 per cent of air carriers awarded contracts in 2004/05 were subjected to the required on-site aviation quality inspection, two air carrier vendors, who were awarded seven contracts, went bankrupt during the period, and, on the basis of International Civil Aviation Organization benchmarks, aviation support staff was inadequate to manage the increased air fleet.

Regional cooperation

23. In paragraph 289 of its report, the Board of Auditors recommended that the Department of Peacekeeping Operations, in collaboration with the relevant peacekeeping missions, develop and implement regional coordination plans aligned to the missions' objectives. The Administration did not accept that recommendation, stating that "inter-mission cooperation derives from mandated redress of issues directly related to regional cross-border interests, and is both in accordance with and constrained by the individual mission mandate, limitations on resource-sharing and operational priorities" and therefore that "A 'plan' for regional coordination is not appropriate," (A/60/601, para. 28).

24. The Advisory Committee has supported the concept of regional cooperation among peacekeeping operations in the past (see A/58/759, para. 104). Moreover, the Committee is aware of ongoing regional sharing and cooperation among missions, including, for example, the use of the logistics base in Entebbe, Uganda, by a number of missions in Africa and ad hoc cooperation between the United Nations Operation in Burundi and the United Nations Organization Mission in the Democratic Republic of the Congo in the sharing of air assets on a cost recovery basis. While fully aware of the necessity to comply with mission mandates, the Committee does not understand the reluctance of the Administration to systematize cooperation through the development of appropriate plans instead of continuing to rely on ad hoc arrangements. In this connection, the Committee reiterates its recommendation that the Department of Peacekeeping Operations continue to explore ways to increase regional management of air assets (see A/59/736, para. 94) and also recommends that it coordinate with the Department of Political Affairs with a view to the sharing of assets between peacekeeping operations and special political missions. The Committee trusts that the next budget submissions will reflect such a common undertaking.

Integrated missions

25. The Advisory Committee notes the Board's statement in paragraph 277 of its report that there was no formal definition to describe an integrated mission and that, as a result, the functions and structure of an integrated mission and the resulting roles and responsibilities of the various actors were not clearly understood. The Board went on to comment that the differences in mandates and objectives of a peacekeeping mission as compared to those of other United Nations entities remained one of the main obstacles affecting the success of an integrated mission. Differing funding methods (assessed or voluntary contributions) and reporting lines further complicated matters.

26. The Advisory Committee was informed that the Board was in the process of conducting a horizontal review of inter-agency coordination integrated missions, which was to be completed in July 2006. The Advisory Committee looks forward to seeing the results of the Board's review.

27. The Advisory Committee shares the Board's view that the Administration should formalize the concept of integrated mission partnerships, determine their function, structure and role and finalize guiding principles, policies and guidelines to govern them. In so doing, attention should be given to establishing clear lines of accountability within the integrated mission concept. As noted by the Board in paragraph 283, the work of the Peacebuilding Commission, which is to be established in accordance with the 2005 World Summit Outcome, may incorporate some aspects of this matter. Further, the Committee notes from the overview report of the Secretary-General on the financing of the United Nations peacekeeping operations (A/60/696, paras. 72-75) that, following a decision of the Policy Committee in July 2005, the Department of Peacekeeping Operations was tasked to lead an inter-agency review of the integrated mission planning process. Upon enquiry, the Committee was informed that the revised planning process was expected to be submitted to the Policy Committee in May 2006.

Support account

28. In its general report on peacekeeping operations in 2005, the Advisory Committee stated its view that the Board could make an essential contribution to a further analysis of how the support account has evolved to its current application and configuration and how it may further evolve. Accordingly, the Committee requested the Board to undertake an analysis of how fluctuations in the level of peacekeeping activities affect the level of required Headquarters backstopping; an analysis of which factors determine the level of required backstopping; and the delineation of functions as to what must be performed at Headquarters and what can be carried out in the field, as well as to look into the relationship between troop strength and the required civilian support component of a mission (see A/60/706, paras. 20 and 21). In paragraphs 299 to 308 of its report, the Board addressed those matters.

29. Statistics on the relation of civilian support staff to military and police personnel are given in paragraphs 304 to 306 of the Board's report. The Board pointed out that deviations in the statistical data as between missions could be explained in terms of differences in the mandates and resulting activities of the missions, the conditions and the size of the mission areas and the maturity of the missions. The Board believed that it would be meaningful, however, to analyse similar types of missions and recommended that the Administration prepare a consolidated performance report on peacekeeping operations, an analysis of civilian support provided to military operations, regional and inter-agency coordination efforts, Headquarters support functions and strategic imperatives. For its part, the Department of Peacekeeping Operations had indicated that it would consider the Board's recommendation in the context of its annual overview report.

30. The Advisory Committee notes that the information provided by the Board is mainly statistical in nature. The Committee remains of the view that an analysis of the support account is needed along the lines of what is described in its previous report and that the Board is an appropriate entity to undertake this work. Accordingly, in its report on the support account, the Committee has

requested the Board to undertake further analysis of the management and post and non-post resource issues related to the support account (see A/66/807).

Resident auditors

31. The Board indicated that most missions were of the view that the resident auditors added value and contributed to the Organization in a positive way, but that there was room for improvement (A/66/5 (Vol. II), chap. II, para. 579). Upon request as to areas requiring improvement, the Advisory Committee was informed that there was a feeling that management was not always afforded adequate opportunity to respond to audit findings.

32. As noted in paragraph 181 of the Board's report, in accordance with OHDS recommendations, the current criteria for deploying resident auditors to peacekeeping missions is one resident auditor at the P-4 or P-3 level per \$100 million of annual budgeted expenditure and one auditing assistant at the G-6 or G-7 level for missions with annual budgets exceeding \$200 million. In the Board's view, budgeted expenditure is only one of the indicators that should be used in the allocation of resources; risk and complexity of operations must also be taken into account. The Advisory Committee supports the Board's recommendation that OHDS refine its basis for allocating resources for the audit of peacekeeping operations. **The Committee trusts that this matter will be addressed in the comprehensive review of governance arrangements and/or in the follow-up report to be submitted on investing in the United Nations (see A/66/735, paras. 7 and 8).** The Committee has also commented on this matter in its report on the support account (see A/66/807, para. 114).

Fraud and presumptive fraud

33. A total of 30 cases of fraud and presumptive fraud were reported to the Board for the financial period ended 30 June 2005. Only six cases were reported in the 2003/04 period. The Administration reported that in nine of the cases no loss was incurred by the United Nations; an estimated loss of \$1,828,783 was incurred in respect of 17 and the extent of losses had not yet been determined in the remaining four. Members of the Audit Operations Committee expressed the view that the increase in the number of cases might not be solely attributable to a general increase in fraud, but rather could point to the effectiveness of the resident auditor system in uncovering incidents of fraud.

34. The Board also commented that those cases might not reflect the entire universe of fraud cases systemwide. In paragraph 404, the Board stated that it compared the list of cases of fraud or presumptive fraud reported by the United Nations Mission in Sierra Leone (UNAMSIL) with the list provided by Headquarters and found that 26 cases were reported by UNAMSIL, while Headquarters reported only 25 cases relating to UNAMSIL. The Board also found that two cases at the United Nations Mission in Ethiopia and Eritrea and 16 at the United Nations Interim Administration Mission in Kosovo were not reported by the missions to Headquarters. **The Advisory Committee shares the Board's concern over the increase in cases of fraud and presumptive fraud and encourages the Administration to be proactive in its dealings with the missions to ensure that cases are reported in a timely and accurate manner. The Committee requests the Administration to confirm the final list of fraud and presumptive fraud cases to the Board of Auditors, as the Board has requested in paragraph 405 of its report.**